

REMARKS

The present application includes claims 1-36. Claims 1-36 have been rejected by the Examiner. By this Amendment, claims 1, 5, 7-9, 11, 13-14, 17, 19, 21, 24, 26, 28-29, and 33 have been amended. By this Amendment, claims 2, 10, 15, and 18 have been cancelled.

Claims 18-20 and 26 were rejected under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

Claims 1, 4-5, 9, 11, 13-14, 33-34 were rejected under 35 U.S.C. § 102(b) as being anticipated by Evans, U.S. Pat. No. 5,924,074 ("Evans").

Claims 21-22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wood et al., U.S. Pat. No. 5,891,035 ("Wood '035").

Claims 2, 7-8, and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Wood et al, U.S. Pat. No. 5,851,186 ("Wood '186").

Claims 3 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Wood '035.

Claims 6, 12, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Rothschild et al., U.S. Pat. No. 6,678,703 ("Rothschild").

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Background and further in view of Rothschild.

Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood '035 and further in view of Evans.

Claims 24-32 and 35-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Rothschild.

The Applicant now turns to the rejection of claims 18-20 and 26 under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

With regard to claims 18 and 19, the Examiner noted that "said medical application retriever" lacked proper antecedent basis. Claim 18 has been cancelled. Claim 19 has been amended and no longer recites "said medical application retriever." The Applicant respectfully submits that the Examiner's rejection has been overcome with respect to claims 18 and 19.

With regard to claim 20, the Examiner noted that "said medical application center" lacked proper antecedent basis. Independent claim 17, from which claim 20 depends, has been amended to recite "said medical application center." The Applicant respectfully submits that the Examiner's rejection has been overcome with respect to claim 20.

With regard to claim 26, the Examiner noted that "said medical diagnostic information" lacked proper antecedent basis. Claim 26 has been amended to recite "said medical information." The Applicant respectfully submits that the Examiner's rejection has been overcome with respect to claim 26.

The Applicant now turns to the rejection of claims 1, 4-5, 9, 11, 13-14, 33-34 under 35 U.S.C. § 102(b) as being anticipated by Evans. Evans generally relates to an electronic medical records system. As discussed beginning at col. 2, line 22, Evans discusses an electronic medical record system that automates and simplifies patient chart creation, maintenance, and retrieval. Evans creates and maintains all patient data electronically. As mentioned at col. 2, lines 45-47, Evans provides instant access to a patient's electronic medical record from any geographical location. That is, as clarified at col. 15, lines 18-20, Evans supports a large healthcare enterprise

distributed across a large geography as well as a single physician office. Thus, Evans addresses geographically distributed, but fixed, facilities.

Evans does not teach mobile facilities, such as, mobile imaging units. The Examiner stated in the Office Action mailed January 25, 2006, at page 8, that Evans fails to expressly disclose that a data generator is a mobile imaging unit. Similarly, at page 10, the Examiner also states that Evans fails to expressly disclose the data retriever comprising a mobile imaging unit. And again, at page 15, the Examiner states that Evans fails to expressly disclose "a mobile imaging unit" transmitting information to a data center.

Independent claim 1 has been amended to incorporate the limitation of a "mobile imaging unit" recited in claim 2, and claim 2 has been cancelled. Similarly, independent claims 9 and 13 have been amended to incorporate the limitations of corresponding dependent claims 10 and 15 to recite a "mobile imaging unit," and claims 10 and 15 have been cancelled. Independent claim 33 has similarly been amended to recite a "mobile imaging unit." Thus, as discussed above, Evans does not teach a "mobile imaging unit" as recited in independent claims 1, 9, 13, and 33. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and that independent claims 1, 9, 13, and 33, and corresponding dependent claims 4-5, 11, 14, and 34 are in condition for allowance.

The Applicant now turns to the rejection of claims 21-22 under 35 U.S.C. § 102(b) as being anticipated by Wood '035. Wood '035 generally relates to an ultrasonic diagnostic imaging system with data access and communications capability. Wood '035 discusses, beginning at col. 3, line 27 and as illustrated in Fig. 1, an ultrasound system including an HTTP server. The HTTP server is connected to access ultrasonic images and reports from a storage

medium and make the system's images and reports accessible to a computer, terminal, or workstation at a remote location.

Wood '035 does not teach using the ultrasound system at more than one healthcare facility. Although, in Fig. 2, an ultrasound system is illustrated on a mobile cart, there is no teaching or suggestion in Wood '035 that the ultrasound system is mobile beyond the confines of a room or single healthcare facility.

Thus, for the reasons discussed above, Wood '035 does not teach a mobile imaging unit adapted to be used at a plurality of locations as recited in amended independent claim 21. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and that independent claim 21, and corresponding dependent claim 22, are in condition for allowance.

The Applicant now turns to the rejection of claims 2, 7-8, and 10 under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Wood '186. Wood '186 relates to an ultrasonic diagnostic imaging system with universal access to diagnostic information and images. As discussed at col. 1, lines 43-48, Wood '186 discloses a medical diagnostic ultrasonic imaging system that can be remotely accessed, interrogated, or controlled from a remote location to provide information about the system's operating characteristics, patient images, and reports.

Wood '186 does not teach or suggest using the ultrasound system at more than one healthcare facility. Although Figs. 15-17, similar to Fig. 2 in Wood '035, described above, illustrate an ultrasound system on a mobile cart, there is no teaching or suggestion in Wood '186 that the ultrasound system is mobile beyond the confines of a room or single healthcare facility.

Claims 2 and 10 have been cancelled. With respect to claims 7-8, for the reasons discussed above and as acknowledged by the Examiner, Evans does not teach or suggest a "mobile imaging unit" as recited in independent claim 1, from which claims 7-8 depend. In addition, Wood '186 does not overcome at least this shortcoming of Evans because, as discussed above, Wood '186 does not teach or suggest a mobile imaging unit adapted to be used at a plurality of locations as recited in amended independent claim 1. Thus, neither Evans nor Wood '186, alone or in combination, teach or suggest elements of independent claim 1, from which claims 7-8 depend. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and dependent claims 7-8 are in condition for allowance.

The Applicant now turns to the rejection of claims 3 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Wood '035. Claim 15 has been cancelled. With respect to claim 3, as discussed above and as acknowledged by the Examiner, Evans does not teach or suggest a "mobile imaging unit" as recited in independent claim 1, from which claim 3 depends. In addition, Wood '035 does not overcome at least this shortcoming of Evans because, as discussed above, Wood '035 does not teach or suggest a mobile imaging unit adapted to be used at a plurality of locations as recited in amended independent claim 1. Thus, neither Evans nor Wood '035, alone or in combination, teach or suggest elements of independent claim 1, from which claim 3 depends. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and dependent claim 3 is in condition for allowance.

The Applicant now turns to the rejection of claims 6, 12, and 16 under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Rothschild. Rothschild generally relates

to medical image management. Rothschild discusses, beginning at col. 17, line 66, storing images at three separate locations including locally at an imaging center and at two central data centers. In addition, images may be stored at a fourth remote viewing location. As illustrated in Fig. 1 and described beginning at col. 18, line 29, Rothschild discloses a medical image management system including a medical imaging system, a local image workstation, a central data management system, and a remote image viewing system.

Rothschild does not teach or suggest mobile facilities, such as, mobile imaging units. Rather, Rothschild merely contemplates fixed imaging centers, as illustrated, for example, beginning at col. 8, line 12, where Rothschild discusses providing a medical image management system to address the needs of referring physicians and other healthcare providers located outside of an imaging center.

Thus, as discussed above, Rothschild does not teach or suggest a “mobile imaging unit” as recited in independent claims 1, 9, and 13, from which claims 6, 12, and 16 respectively depend. In addition, Evans does not overcome at least this shortcoming of Rothschild because, as discussed above and as acknowledged by the Examiner, Evans does not teach or suggest a “mobile imaging unit” as recited in independent claims 1, 9, and 13. Thus, neither Evans nor Rothschild, alone or in combination, teach or suggest elements of independent claims 1, 9, and 13, from which claims 6, 12, and 16 respectively depend. Therefore, the Applicant respectfully submits that the Examiner’s rejection has been overcome and dependent claims 6, 12, and 16 are in condition for allowance.

The Applicant now turns to the rejection of claims 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Applicant’s Background and further in view of Rothschild. Claim 18

has been cancelled. With regard to claims 17 and 19-20, Applicant's Background identifies a problem that had yet to be solved and a combination that had yet to be realized in the art. The Applicant's Background addresses deficiencies which are remedied by the Applicant's novel solution and not by Rothschild. As discussed above, Rothschild does not teach or suggest a "mobile imaging unit" and thus, cannot provide any motivation two combine a mobile imaging unit with a medical application center, as recited in independent claim 17. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and independent claim 17, and corresponding dependent claims 19-20, are in condition for allowance.

The Applicant now turns to the rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Wood '035 and further in view of Evans. As discussed above, Wood '035 does not teach or suggest a mobile imaging unit adapted to be used at a plurality of locations as recited in amended independent claim 21, from which claim 23 depends. In addition, Evans does not overcome at least this shortcoming of Wood '035 because, as discussed above and as acknowledged by the Examiner, Evans does not teach or suggest a "mobile imaging unit" as recited in independent claim 21. Thus, neither Wood '035 nor Evans, alone or in combination, teach or suggest elements of independent claim 21, from which claim 23 depends. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and dependent claim 23 is in condition for allowance.

The Applicant now turns to the rejection of claims 24-32 and 35-36 under 35 U.S.C. § 103(a) as being unpatentable over Evans and further in view of Rothschild. As discussed above and as acknowledged by the Examiner, Evans does not teach or suggest a "mobile imaging unit"

as recited in independent claims 24, 28, and 29. In addition, Rothschild does not overcome at least this shortcoming of Evans because, as discussed above, Rothschild does not teach or suggest a "mobile imaging unit" as recited in independent claims 24, 28, and 29. Thus, neither Evans nor Rothschild, alone, or in combination, teach or suggest elements of independent claims 24, 28, and 29. Therefore, the Applicant respectfully submits that the Examiner's rejection has been overcome and independent claims 24, 28, and 29, and corresponding dependent claims 25-27, 30-32, and 35-36 are in condition for allowance.

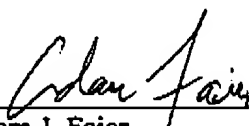
CONCLUSION

It is submitted that the present application is in condition for allowance and a Notice of Allowability is respectfully solicited. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GEMS-IT, Account No. 50-2401.

Respectfully submitted,

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